

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	4:05CV3319
)	
v.)	
)	ORDER TO SHOW CAUSE
JOHN WAY, As Vice-President of First National Bank,)	
)	
)	
Respondent.)	

Upon the petition of the United States, and the declaration summons, and transcripts summons attached thereto, it is hereby

ORDERED that respondent, John Way, as Vice-President of First National Bank, appear before the undersigned magistrate judge in the District Court of the United States for the District of Nebraska, in Courtroom No. 7, Second Floor, **Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on the 28th day of February, 2006, at 9:30 a.m.**, to show cause why respondent should not be compelled to comply with the Internal Revenue Service summons served on respondent on August 2, 2005.

IT IS FURTHER ORDERED that a copy of this Order, together with the petition and Exhibits thereto, be personally served on John Way, as Vice-President of First National Bank, by an official of the Internal Revenue Service within thirty (30) days of the date of this Order and proof of service filed with the Clerk of the District Court within five (5) business days after such service upon respondent.

IT IS FURTHER ORDERED that within ten (10) days of service of copies of this Order, the petition and Exhibits thereto, respondent shall file and serve a written response to the petition. That if respondent has any defenses to present or motions to make in opposition to the petition, such defenses or motions, if any, shall be made in writing and filed with the Court, and copies served on the United States Attorney at least five (5) business days prior to the date of the show cause hearing. Only those issues raised by

motion or brought into controversy by the responsive pleading shall be considered by the Court and any uncontested allegations in the petition shall be deemed admitted; and

IT IS FURTHER ORDERED that if respondent complies with the summons, petitioner and respondent may jointly notify the Court in writing on or before the hearing by filing a notice of compliance with the Clerk of the Court. Upon receipt of such written notice, the Court will cancel the hearing.

DATED this 28th day of December, 2005.

BY THE COURT:

/s Thomas D. Thalken
United States Magistrate Judge